

LSA Document #20-563

Economic Impact Statement

December 2, 2020

Description of the Rule

The Indiana Department of Health (the “Department”) is seeking to amend 410 IAC 35 to remove references to expired Indiana Code (IC) citations; add 410 IAC 35-1-2.5 to add the definition of “abortion clinic;” amend 410 IAC 35-1-3 to update the definition of “cremation;” amend 410 IAC 35-1-4 to update the definition of “health care facility;” repeal 410 IAC 35-1-6 and 410 IAC 35-1-7; amend 410 IAC 35-2-1 to update language to reflect statute; and, add 410 IAC 35-2-2 to update record keeping requirements to reflect statute.

Economic Impact on Small Businesses

- 1. Estimate of the number of small businesses, classified by industry sector, that will be subject to the proposed rule.**

IC 5-28-2-6 defines a small business as a business entity that satisfies the following requirements:

- (1) On at least fifty percent (50%) of the working days of the business entity occurring during the proceeding calendar year, the business entity employed not more than one hundred fifty (150) employees.**
- (2) The majority of the employees of the business entity work in Indiana.**

All abortion clinics and health care facilities are subject to the proposed rule. There are seven abortion clinics in Indiana that qualify as small businesses subject to the rule.

- 2. Estimate of the average annual reporting, record keeping, and other administrative costs that small businesses will incur to comply with the proposed rule.**

The proposed rule imposes no new reporting, record keeping, or other administrative costs on small businesses.

- 3. Estimate of the total annual economic impact that compliance with the proposed rule will have on all small businesses subject to the rule.**

Compliance with the proposed rule imposes no economic impact on small businesses.

- 4. Statement justifying any requirement or cost that is imposed on small businesses by the rule; and not expressly required by the statute authorizing the agency to adopt the rule; or any other state or federal law.**

The proposed rule imposes no cost not expressly required by statute.

5. Regulatory Flexibility Analysis

Not applicable.